S.B. CIVIL WRIT PETITION NO.6583/2007.

Magan Chand
Vs.
Addl.District & Sessions Judge No.2 and ors.

Date of Order : 27/8/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Anoop Dhand for the petitioner.

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This writ petition has been filed with the prayer to direct to the Court of learned Additional District No.2 Sikar camp Srimadhopur District Sikar to decide Suit No.24/04 expeditiously in view of the fact that plaintiff-petitioner is 76 years old person.

Learned counsel for the petitioner has submitted that suit was filed on 30/11/2002 and written statement was filed on 10/1/2003 but so far even the issues have not been framed. It has been argued that even defendant is also aged 74 years.

In the facts of the case, it is not considered appropriate to give direction to the court concerned to decide the trial of a particular case as the proceedings of subordinate court cannot be regulated by issue of mandamus.

Nonetheless, in view of the fact that contesting parties are old aged persons and pleadings

in the civil suits were completed almost six years ago, it is expected of the trial court to expedite the trial and not to grant unnecessary adjournments except it deems necessary and expedite the trial court so as to decide it at an early date.

The writ petition is disposed of.

(MOHAMMAD RAFIQ), J.

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